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ALL AROUND THE CIVIL WAR

OR

BEFORE AND AFTER



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# ALL AROUND THE CIVIL WAR

OR

## BEFORE AND AFTER

A BOOKLET under the above title has been *composed* and compiled by the undersigned, for the purpose of giving in concise form the views of the people of those Southern States, which, in 1861, passed Ordinances of Secession, and the causes which led to those Acts.

Beginning with the settlement at Jamestown, historical facts are truthfully traced to the end of the book — or to the termination of the war.

It is perhaps not too much to claim that in this booklet all the essential facts affecting the great tragedy of which it treats are stated, and the Southern people are acquitted of the many false charges made against them in so-called histories emanating from prejudiced authors.

In its pages it is shown that all the States—that is to say the thirteen which formed the first Union—at one time seceded; that subsequently the New England States were the first to claim the right to secede; and that the consensus of opinion, in the early days, was that the right existed.

The knowledge of these historical facts is essential to the continuance of our self-respect and our reverence for the heroes who sacrificed all save honor in defense of the Southern cause.

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### OPINIONS OF THE BOOKLET

MR. C. C. CALHOUN, Lawyer, of Washington, D. C., says:

“It affords me much pleasure to state \* \* \* I am greatly pleased to find the causes leading to, and the questions involved in, the Civil War, most clearly and precisely presented. \* \* \* In a few pages, by an attractive way, *he* has covered the subject in a most convincing manner. \* \* \* The publication and wide dissemination of this article would be most beneficial, not only to the South, but to all sections.”

MAJ. JAMES McDOWELL CARRINGTON, Washington, D. C., says:

“I think it would be a most useful contribution to Southern literature. It would not only be interesting to Southerners, but should be so to candid and patriotic citizens all over the Union. *He* gives a brief history of the formation of our Government, and makes some interesting comments. \* \* \* *He* establishes the fact that the idea of secession originated in Massachusetts, and



It seems to be the common lot of nations as of individuals that posterity lauds the successful and condemns the unsuccessful without reference to merit or justice.

I have always believed that a knowledge of "the truth, the whole truth and nothing but the truth," in the minds of the people, would be the vindication of the Southern States in connection with our Civil War.

Several large volumes have been published by Southern writers for the purpose of this vindication but they deal largely in details of actions rather than with principles. The size of these publications makes them inaccessible to the majority.

For more than forty years I have indulged the hope, that some abler pen than mine would collate and publish in concise form the essential historical facts preceding and causing the war. This not having been done by any other, I have assumed the task.

"Or ever the silver cord be loosed, or the golden bowl be broken, and, "because man goeth to his long home," I desire to contribute my mite, by the publication of my booklet. "All Around the Civil War, or Before and After," to perpetuating in honor the memories of the heroes who fought for the Southern Confederacy.

WM. HAWN.













# ALL AROUND *the* CIVIL WAR

OR

## BEFORE AND AFTER

BY

WILLIAM HAWN

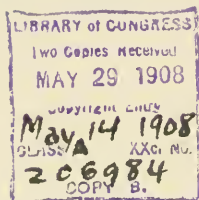
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*"Set down naught in Malice"*

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### DEDICATION.

*THIS* booklet is respectfully dedicated to the noble women of the South, and to the memory of those who have passed away, who through long years of great trial and almost inconceivable privation devoted their efforts with Christian zeal to encouraging the soldiers in the field; to nursing the sick, and to comforting the dying.

*Their untiring energy, their fortitude and patience under the most trying circumstances to which any people may be subjected, are worthy the emulation of all nations through all time.*

W. H.





## PREFACE.

This booklet is only a compilation of certain well known recorded events—matters of history—opinions of, and expressions by, many men, with some reflections by the compiler. What it contains is gathered from many sources. Any opinions of the compiler herein expressed were and are honestly entertained, and are honestly expressed.

Having read remarks by Hon. G. M. Dallas, Senator from Pennsylvania, that, "The Constitution in its words is plain and intelligible, and is meant for the homebred, unsophisticated understandings of our fellow citizens,"<sup>1</sup> and by Judge Story, "A Constitution of government is addressed to the common sense of the people and never was designed for trials of logical skill or visionary speculation,"<sup>2</sup> the compiler was emboldened to express his *common sense understanding* of its meaning, as to certain Articles.

It is not the object of this booklet to reawaken the animosities of half a century ago—far from it. The hope of the

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<sup>1</sup>"The Constitution," W. Hickey, p. 27.

<sup>2</sup>*Idem*, p. 27.

compiler is that he may truthfully present, in concise form, the reason why the Southern States seceded—to relieve the Southern people from the charge of treason—to set forth briefly the efforts they made to maintain peace in order that their descendants may not, under the influence of so-called histories, false, partizan and vituperative, cease to honor their fathers.

It is also his hope that, if perchance the following pages should be impartially read by any on the “opposite side,” erroneous impressions may be eradicated; that confidence in the Southern people may be restored, and that they truly accept the results of the war in good faith may be believed.

It may not be out of place to say a few words about the compiler. He is a native of Alabama, was rocked in a State’s rights cradle, and suckled on secession pap; was in the Confederate service all through the war; from his youth he favored the abolition of slavery in his native State; now, in the “sere and yellow leaf,” he yields to none in his devotion to the Union as it is.

WM. HAWN,  
*Late Seventh Louisiana Regiment.*

## ALL AROUND THE CIVIL WAR

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*April 13, 1607*, the first permanent settlement by Englishmen in America was made by the landing of about one hundred men at a point in Virginia, to which they gave the name of Jamestown, in honor of their King, James I. Nearly, or quite half of them perished in the first summer from a pestilence.

It is needless to the purpose of the writer to dwell upon the hardships of this first colony; to rehearse their sufferings; to trace their growth in numbers and expansion, or to refer to their religion, characters or surroundings, for this purpose is an effort to show that the Southern States, which seceded from the United States in 1860-61, exercised a power reserved to them under the Constitution; that they were driven thereto by the General Government having passed into the control of a party inimical to their constitutional rights; that African slavery was not the *cause* of secession, but only an incident, and that the Southern people were not rebels.

A seed had been planted at Jamestown from which was to arise a form of Republican-legislative government, and a lib-

erty, having no prior existence among men; a form of government destined to modify all others; to improve the conditions of all mankind, and to become one of the greatest world powers.

Other colonies in due course were founded by peoples from various countries which, under similar conditions, grew and expanded until there were thirteen, all owning allegiance to the British crown.

The injustice and bad faith of England finally drove the colonies to rebel, and to an agreement between them under the title of "ARTICLES OF CONFEDERATION AND PERPETUAL UNION."

*Sept. 5, 1774*, a Congress composed "of a number of delegates, chosen and appointed by the several colonies and provinces of North America" assembled in Philadelphia, at "The Carpenter's Hall," the object of the Congress being to form "a bond of Union," and "to connect the powers and means of the colonies for the common defense."

*Nov. 15, 1777*, these articles were agreed to by the delegates of the thirteen original States in Congress assembled, subject to the ratification of the Legislatures of the several States, and were ratified by the States on dates as follows:

By eight States *July 9, 1778*; one State *July 21, 1778*; one

State *July 24, 1778*; one State *Nov. 26, 1778*; one State *Feb. 22, 1779*; one State *March 1, 1781*.

These Articles provided that :

1. "The style of this Confederacy shall be 'The United States of America.'

2. "Each State retains its sovereignty, freedom and independence, and every power, jurisdiction and right which is not, by this confederation, delegated to the United States in Congress assembled.

3. "The said States hereby severally enter into a firm league of friendship, with each other \* \* \* binding themselves to assist each other against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or on any other pretense whatever.

4. " \* \* \* and the people of each State shall have free ingress and regress to and from any other State, and shall enjoy therein all the privileges of trade and commerce subject to the same \* \* \* restrictions as the inhabitants thereof respectively, provided that such restriction shall not extend so far as to prevent the removal of property imported into any State to any other State of which the owner is an inhabitant, etc.

5. "Provides for the appointment of delegates to the Congress of the United States, etc.

6. "No State, without the consent of the United States in Congress assembled, shall \* \* \* enter into any conference, agreement, alliance or treaty, etc.

7. "When land forces are raised by any State for the common defense, all officers under the rank of Colonel shall be appointed by the Legislature, etc.

8. "Provides for charges for war and other expenses, etc.

9. "The United States *in Congress assembled* shall determine on peace or war. \* \* \* No State shall be deprived of territory for the benefit of the United States. \* \* \* Settlements of disputes between States provided for \* \* \* also regulating trade with Indians. \* \* \* Establishing or regulating post roads. \* \* \* The United States in Congress assembled shall never engage in war, nor enter into treaties, nor appropriate money \* \* \* unless nine States assent to the same.

10. "Confers limited powers on the committee of the States, or any nine of them.

11. "Canada may be admitted to this confederation, etc.



12. "Provides for payment of bills of credit, etc.

13. "Every State shall abide by the determination of the United States in Congress assembled, on all questions which, by this Confederation is submitted to them; and the Articles of this Confederation shall be inviolably observed by every State, and the Union shall be Perpetual; nor shall any alteration hereafter be made in any of them, unless such alteration be agreed to in a Congress of the United States, and be afterward confirmed by the Legislatures of every State."

It is worthy of note that in these Articles the words "United States" occur more than fifty times, and only twice is the word United written with a capital U, in Article 1 and in Article 9, which, perhaps, indicates slight respect for the Union!

These Articles were soon found to be defective; first, in that they did not provide "the necessary means of raising a revenue," and second, in the absence of "power to regulate and control the foreign trade and commerce of the country."<sup>1</sup>

*February 3, 1781*, a member from New Jersey moved a recommendation to the States that Congress be vested with additional powers to provide means for paying the public debt

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<sup>1</sup>"The Constitution," W. Hickey, p. 131.

and prosecuting the existing war, by laying duties on imports and prize goods. Rhode Island refused to comply with this recommendation, giving under three heads the reasons for such refusal.

These reasons were :

First.—“That the proposed duty would be unequal in its operation, bearing hardest upon the most commercial States, and so would press particularly hard upon that State which draws its chief support from commerce.”

To this the Committee of Congress, having charge of the matter, replied, “that every duty on imports is incorporated with the price of the commodity, and ultimately paid by the consumer, with a profit on the duty itself, as a compensation to the merchant for the advance of his money.”

Second.—“That the recommendation proposes to introduce into that and the other States officers unknown and unaccountable to them, and so is against the Constitution of the State.”

To this the reply was: “The doctrine advanced by Rhode Island would perhaps prove, also, that the Federal Government ought to have the appointment of no internal officers whatever.” \* \* \*

Third.—“That by granting to Congress the power to collect moneys from the commerce of these States, indefinitely as to time and quantity, and for the expenditure of which they would not be accountable to the States, they (Congress) would become independent of their constituents, and so the proposed impost is repugnant to the liberty of the United States.”

To this the Committee replied: “The fund proposed was sufficiently definite as to time \* \* \* the resolution recommending the duty specifies the object to be the discharge of debts already contracted, etc.”<sup>1</sup>

The arguments of the Committee prevailed, and the “Articles of Confederation and Perpetual Union,” which were agreed to by the delegates of all the States in Congress assembled as early as *Nov. 15, 1777*, were finally ratified by the last of the thirteen, as late as *March 1, 1781*, having been practically under consideration since *Sept. 5, 1774*.

#### DECLARATION OF INDEPENDENCE.

*July 4, 1776*, Congress in Committee of the Whole, agreed to the Declaration of Independence, which reads, in part, as follows:

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<sup>1</sup>“The Constitution,” W. Hickey, p. 131

That "all men are born free and equal; that they are endowed with certain inalienable rights; that among these are life, liberty and the pursuit of happiness; that to secure these, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it and to institute a new government, \* \* \* organizing its powers in such form as to them shall seem most likely to effect their safety and happiness. \* \* \* But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies, and such is now the necessity which constrains them to alter their former systems of government. The history of the present King of Great Britain is a history of injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States; he has refused his assent to laws, the most wholesome and necessary for the public good; he has forbidden his governors to pass laws of immediate and pressing importance; he has refused to pass other laws for the accommodation of

large districts of people; \* \* \* he has endeavored to prevent the population of these States; he has obstructed the administration of justice; he has excited insurrections amongst us.

“We have warned them from time to time; \* \* \* we have appealed to their native justice and magnanimity, and we have conjured them, by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connections and correspondence; they have been deaf to the voice of justice and magnanimity. We must therefore acquiesce in the necessity which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace, friends.

“We, therefore, by the authority of the good people of these colonies, solemnly publish and declare, That these United States are, and of right ought to be, Free and Independent States.”

This declaration was signed by the representatives from the “Free and Independent States” of New Hampshire, Massachusetts Bay, Rhode Island, Delaware, Connecticut, Maryland, New York, Virginia, New Jersey, North Carolina, Pennsylvania, South Carolina and Georgia.

It will be seen herein and hereafter, how the practices of the King, so eloquently protested against in the “Declaration

of Independence," were revived in the actions of a sectional party, which arose in the New England States and spread over the vast domain, which was freely ceded to the United States by the State of Virginia.

The "Articles of Confederation and Perpetual Union" having proved ineffectual to meet the exigencies of the Union, it was necessary that a better system should be devised. *Feb. 21, 1787*, a resolution was offered in Congress that recommendation be made to the different Legislatures to send forward to a convention to be held in Philadelphia on the "second Monday in May next," to take into consideration the situation of the United States, etc. This resolution was passed with little delay. Delegates from the several States met as suggested. After deliberate and candid discussion, the Constitution, as finally prepared, was agreed to by the assembled delegates, on *Sept. 17, 1787*, and was ratified by the several States upon dates ranging from *Dec. 7, 1787, to May 29, 1790*.

#### THE CONSTITUTION.

The articles to which consideration will be given herein are:

THE EXORDIUM.—"We the people of the United States, in order to form a more perfect Union, establish justice, insure



domestic tranquillity, provide for the common defense, promote the general welfare and secure the blessings of Liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE 1. SEC. 8, c.11. The Congress shall have power  
—To declare war, etc.

12. To raise and support armies, etc.

15. To provide for calling forth the militia, etc.

ARTICLE 4. SEC. 2, c.1. The citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States.

c.3. No person held to service or labour in one of the States, under the laws thereof, escaping into another, shall in consequence of any Law or Regulation therein, be discharged from such services or labour, but shall be delivered up on claim of the party to whom such service or labour may be due.

SEC 3, c.1. \* \* No new State shall be formed or created within the jurisdiction of any other State, etc.

#### AMENDMENTS.

ARTICLE 2. A well-regulated militia being necessary to the security of a Free country, the right of a people to keep and bear arms, shall not be infringed.

ARTICLE 4. The right of the people to be secure in their persons, homes, papers and effects, against unreasonable searches and seizures, shall not be violated, etc.

ARTICLE 9. The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

ARTICLE 10. The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States or to the people.

#### SLAVERY.

"This year, 1619, about the last of *August*, came a Dutch man-of-war" to Jamestown, Va., "*that sold us twenty negroes,*"<sup>1</sup> and this was the rising upon the horizon of a cloud-speck, having in it the germ of a mighty storm that was destined to sweep over the country, spreading death and destruction over a once happy people—sacrificing hundreds of thousands of lives—costing thousands of millions of dollars—and causing the compulsory emancipation of nearly four millions of negro slaves, without compensation to their owners, and in violation of the Constitution. (See Art. 4, Sec. 2, clause 3, also Amendments, Articles 4, 5 and 10.) Negro slavery thus

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<sup>1</sup>"Virginia," Cooke, p. 123.

introduced, soon extended to all the other colonies. Slaves were recognized as property; owners were secured in their possession, with the right to dispose of them as property and to remove with them to any State. Conditions in the Northern and Southern States were so diverse, that it soon became evident that what might be profitable in one section might be unprofitable in the other. So it was with negro slavery. The Southern States, with a more genial climate, a more fertile soil and a difference in products, were better adapted for the employment of negro slaves, than were the Northern or New England States. The people of the North, away from the sea, were farmers. Their products were mostly hay and grain, but the climate was too cold for the negroes. Near the sea the people were fishermen, manufacturers, traders, ship-builders and sailors—occupations requiring skill not possessed by the slaves. In the South the people were largely, almost exclusively, planters, owning large areas of fertile soil and raising principally tobacco, cotton, rice and sugar—crops which could be successfully cultivated by negro slaves.

Let it be remembered that no question of immorality in buying, selling, working or holding slaves was suggested for many years—in either the Northern or Southern States. Under all these conditions, those who held slaves in the North

were glad to find a market for them in the South, and it was chiefly through this market that slavery became extinct in the former. And not only did the Northern slave owners contribute in this way to the continuance of slavery, but being traders, ship-builders and sailors, some of them engaged in the "African slave trade," organizing companies for carrying it on and making fortunes by the nefarious traffic, without reproach from the people of the States where they resided.

*It is related of one James D'Wolf, who was a Senator from Rhode Island, that he resigned from the Senate to become President of a slave-trading company. Being told that the trade was to be declared piracy, he replied, "So much the better for us; the 'Yankees' will be the only people not scared off by such a declaration.'"*<sup>1</sup>

From what has been said it appears that the people residing in the Northern States engaged in importing slaves, and that the Southern people were not at all engaged in it. The Southern States were first in disapproving the slave trade. In colonial days Virginia made frequent appeals to Great Britain to suppress it, but was overruled by the Crown. In nearly every Southern State laws were enacted forbidding the importation of slaves. Virginia was the first State to prohibit it.

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<sup>1</sup>"The Rise and Fall of the Confederate Government," J. Davis, Vol. I, p. 84.

The fact is, slavery was practically forced upon the South for the pecuniary benefit of those who were engaged in the "trade."

Art. 1, Sec. 9, clause 1 of the Constitution made the slave-trade legitimate until the year 1808. In 1784 Virginia ceded to the United States her vast territory northwest of the Ohio River. The ordinance for the government of this territory contained, among others, one article which provided that "there shall be neither slavery nor involuntary servitude in the said territory, etc.," which provision was not only acceded to by Virginia, but the ordinance was adopted at her express instance. Thus it is evident that the people of the Southern States deplored the existence of slavery; that they were not only willing, but desirous to have it restricted to the limits where it existed. But the number of slaves increased rapidly, keeping pace with the general increase in the whole country in population and material development, and when a political party arose, whose aim and object it was to forcibly emancipate the slaves, to deprive part of the States of rights guaranteed to them by the Constitution, and protected by the laws of Congress—rights which the highest courts had decided belonged to them; after having appealed to Congress and to their brethren of the Northern States not to infringe upon

these rights, it was painfully evident that some other remedy must be found to secure them, and the only thing to do was to withdraw from the Union and set up a government of their own. Hence came

#### SECESSION.

Examples of claims for the right to secede from the Union and for the exercise of this right are not wanting. The first exercise of it was when *every State seceded* from the Union formed under the "Articles of Confederation," and formed a new Union under the Constitution. The right was frequently "asserted in Massachusetts and other New England States." The acquisition of Louisiana in 1803 was made a special occasion for its claim. Mr. Timothy Pickering, long a Senator from Massachusetts, in a letter written *Dec. 24, 1803*, said: "I will not yet despair. I rather anticipate *a new confederacy*, exempt from the corrupt and corrupting influence and oppression of the aristocratic democrats of the South. There will be (and our children, at farthest, will see it) a separation." In another letter written *January 29, 1804*, he said: "The principles of our Revolution point to a remedy—a *separation*. That this can be accomplished, and without spilling one drop of blood, I have little doubt. \* \* \* *A Northern Confederacy*



would unite congenial characters. \* \* \* The Southern States would require the naval protection of the *Northern Union*, and the produce of the former would be important to the navigation and commerce of the latter. *It (the separation) must begin in Massachusetts,*" and he had no doubt all the New England States would join the new confederacy—also New York and New Jersey. *In February, 1804*, he wrote further: "The public debts might be equitably apportioned." "A friendly and commercial intercourse would be maintained with the States in the Southern Confederacy. \* \* \* It is not unusual for two friends, when disagreeing about the mode of conducting a common concern, to separate and manage, each in his own way, his separate interest, and thereby preserve a useful friendship which, without such separation, would infallibly be destroyed."<sup>1</sup>

*In 1811* a bill for the admission of Louisiana as a State being under consideration, Mr. Josiah Quincy, of Massachusetts, said: "If this bill passes, it is my deliberate opinion that it is *virtually a dissolution of this Union*; that it will free the States from their moral obligation; and as it will be the right of all, so it will be the duty of some, definitely to prepare

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<sup>1</sup>"The Rise and Fall of the Confederate Government," J. Davis, Vol. I, pp. 71, 72, 73. (Quoted from "Life of Cabot Lodge," pp. 334, 491, 338, 340, 446.)

for a separation—*amicably if they can, violently if they must.*” A member from Mississippi Territory thereupon called Mr. Quincy to order, and was sustained by the speaker. An appeal was taken from the speaker’s decision, *and it was reversed.* Mr. Quincy then proceeded, saying, “Is there a principle of public law better settled or more conformable to the plainest suggestions of reason, than that the violation of a contract by one of the parties may be considered as exempting the other from its obligations, etc.”<sup>1</sup>

In December, 1814, during the war with Great Britain, a convention, composed of delegates from New England States, met at Hartford, Conn., *it is understood*, for the purpose of considering the question of withdrawing the States represented, from the Union; and it is beyond doubt that this matter was considered as, in a published report they say, “*some new form of confederacy* should be substituted among those States which shall intend to maintain a federal relation to each other.

\* \* \* *Whenever it shall appear that the causes*” (for dissolution) “are radical and permanent, a separation by equitable arrangement will be preferable to an alliance by constraint among nominal friends, but real enemies.”<sup>2</sup>

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<sup>1</sup>“The Rise and Fall of the Confederate Government,” Vol. I, pp. 73, 74, 75.

<sup>2</sup>*Idem.*

In 1844, when the annexation of Texas was being considered, the Legislature of Massachusetts declared that "the Commonwealth of Massachusetts, faithful to the compact between the people of the United States, according to the plain meaning and intent in *which it was understood by them*, is sincerely anxious for its preservation; but that it is determined, as it doubts not other States are, to submit to undelegated powers in no body of men on earth"; and "the project of the annexation of Texas, unless arrested on the *threshold*, may tend to drive these States into a dissolution of the Union."<sup>1</sup>

Feb. 11, 1845, the same Legislature declared that, "as the powers of legislation granted in the Constitution of the United States to Congress do not embrace a case of the admission of a foreign State or foreign territory, by legislation, into the Union; such an act of admission would have *no binding force whatever on the people of Massachusetts*."

It will be seen from the above that almost from the date when the Constitution was adopted, that is *from 1803 and to 1845, the New England States and some of their eminent statesmen asserted, contended for and insisted upon the right of any State to secede from the Union, and that each State had the right to determine for itself upon what provocation*

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<sup>1</sup>"R. & F. Confederate Government," Vol. I, p. 76.

*this right should be exercised*, and that the "Commonwealth of Massachusetts," particularly, asserted the right to construe the provisions of the Constitution for herself, and to be bound only by "*the plain meaning and intent with which it was understood by them.*"

The right to secede from the Union was clearly reserved to the States, as the right to coerce a State is not conferred by the Constitution upon Congress.

The course of events between 1831 (at which time William Lloyd Garrison established "The Liberator," a newspaper persistently advocating the entire and immediate abolition of African slavery in America) and 1860, when Abraham Lincoln was elected President, justified the people in the Southern States in apprehending that the policy of the Government henceforward would be not merely to limit African slavery to the States where it already existed—was recognized by the Constitution, and was protected by the Laws of the country—but to abolish it in all the States. The anti-slavery party had now become dominant—practically sovereign—independent of and unlimited by any other power. It was a sectional party. It elected to the presidency a man who had said that the Union "could not permanently endure half slave and half free." The Constitution had been denounced as a "Covenant with

hell." One of its leaders had declared that "Congress was bound to prohibit it (slavery) in, or to exclude it from any and every Federal Territory," thus claiming that Congress could set aside the provisions of the Constitution and deprive certain citizens *of the enjoyment of the only kind of property which was especially recognized by it.*

Another leader of the party had predicted an "irrepressible conflict," and had proclaimed "a higher law than the Constitution." The meaning of all which is that the party was determined to rule the country according to its own ideas, without regard to Constitution or Law.

What caused the Northern States to contemplate their withdrawal from the Union in 1803, 1814 and 1845? It was not that any of their Constitutional rights had been infringed, or even threatened; it was not that their material interests were endangered! It was because of their hatred of the so-called "Aristocratic Democrats of the South," and because the acquisition of Southern territory *seemed* to promise additional influence to the South in the government of the country—a seeming promise that was never fulfilled, as this acquisition subsequently contributed greatly to the enlargement of their commerce, manufactures and wealth.

It may be not improperly asked, "if a consideration of their

material prosperity did not largely influence them in 1861 to deny to the South the right previously claimed for themselves?"

Carefully read the Declaration of Independence. Where reference is made to the King, substitute the words "Republican Party," and a close similarity will be seen between the acts of the former and those of the later (would-be) sovereign, committed prior and subsequent to 1860! If the Anti-slavery or Republican Party, up to 1860, had not committed all the sins against the Southern States which the King had committed against the colonies, it was evident that they were capable of them and intended to follow his example, unless their reckless demands were submitted to.

The imagined dangers to their interests which had so inflamed the Northern mind were as nothing, even if they were real, when compared with the actual danger overhanging the South in 1860. This latter danger portended the overthrow of the Constitution, the obliteration of States' rights; the absolute subjection of the Southern to the Northern States; the loss of vast property and the utter demoralization of their most serious domestic concerns. The Southern States might, of their own accord, have abolished slavery, and there was a growing sentiment among them in favor of so doing, not because it was admitted to be immoral, but for the reason

that its continuance would permanently prevent the influx of a desirable population and the development of great natural resources. But the intolerant disposition of the Northern people checked the growth of this sentiment, and united the South in a determination to resist encroachment upon its rights by any and all means. The compulsory abandonment of a valuable domestic institution, having a constitutional legal existence, at the behest of a combination of people in other States—people who were almost exclusively responsible for its existence, and had profited by establishing it—would have been a sacrifice of honor, and the abnegation of self-respect by a people claiming both in an eminent degree.

Eleven States, exercising a power reserved to them by virtue of the fact that no power had been delegated to the United States to prevent it, passed Ordinances of Secession, and three others were prevented from doing so only by military forces which had invaded them.

Attention is called to the fact that a "Perpetual Union" is not provided for in the Constitution.

*Thomas Jefferson* declared, in considering the principles of the Constitution, "If we countenance a political intolerance, despotic, wicked, capable of wicked persecution, we have gained little" \* \* \* "the support of the State governments

in all their rights as the most competent administration for our domestic concerns.”<sup>1</sup>

*James Madison*, referring to the principles of the Constitution, declared the purposes of Government to be “to prefer, in all cases, amicable discussion and reasonable accommodation of differences, to a decision of them by an appeal to arms.” \* \* \* “to foster a spirit of independence, too just to invade the rights of others, too proud to surrender our own; to respect the rights and authorities reserved to the States and to the people.”<sup>2</sup>

Numerous citations might be made of the opinions and remarks of eminent men from both sections of the country—men who were not advocates for the exercise of the rights reserved to the States—similar to the above, but it is not considered necessary.

It has been said that the South acted hastily in seceding, but when you have been advised that your house is to be broken into, you do not wait until the burglar has gotten in to make preparations to meet the emergency.

The idea of seceding was first entertained by our brethren of Massachusetts. Soon after the founding of different colo-

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<sup>1</sup>“The Constitution,” W. Hickey, p. 31.

<sup>2</sup>*Idem*, p. 32.



nies there began to arise sectional jealousies. The Southern colonies having the more genial climate, the more fertile soil and a more extensive area than the Northern. These advantages naturally led to the apprehension that the South would become the more populous and prosperous section, and so become dominant in the Government. It was therefore inevitable that, in the formation of any Union of the colonies under a General Government, the less favored section should desire such organization as would provide for a "Perpetual Union" (as was set forth in the preamble and title of the "Articles of Confederation, etc.," adopted by Congress *Nov. 5, 1777*, and subsequently ratified by the several Legislatures), and would also provide for reciprocal commerce. The Organization effected under the "Articles" was found inadequate to the "exigencies of the Union, "in that they did not provide means sufficient to pay the debts already incurred and to meet current expenses." Steps were taken to remedy these defects, and in a Constitution, *superseding* the "Articles of Confederation," powers were conferred upon Congress to raise revenue and to regulate commerce.

That the "Articles of Confederation, etc.," would establish a "Perpetual Union," and that the Constitution which superseded them makes no reference to such thing, argues that

the idea was abandoned as an absurdity, if by "Perpetual," it was meant that the Union would be "neverceasing-unending." If the Union formed was to exist perpetually, it follows that the agreement by which it was formed must also be "neverceasing-unending," and this we have seen is not the case, as that agreement was made null and void by the adoption of the Constitution, whereby *all the States seceded from the former Union*.

If the prerogative of secession was claimed by the New England States, for reasons which justified it to their own judgments, how could they conscientiously deny it to other and equal States?

When South Carolina ceded to the United States forts and sites for their erection within her boundaries, it was done upon certain conditions, by which the United States were to repair the fortifications already existing, and to keep a garrison or garrisons therein, within three years from the passage of the act, and if these things were not done as stipulated, in such case the grant or cession was to be null and void.<sup>1</sup> These conditions were not complied with, and *consequently the ownership of the forts and sites reverted to the State*, and possession

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<sup>1</sup>"R. & F. Confederate Government," Vol. I, p. 210. Quoted from Statutes at Large of S. C., Vol. V, p. 501.

was demanded when the State resumed sovereignty. This, however, was refused.

When New York granted a site for the Brooklyn Navy Yard, it was done on the express condition that "so long as the said tract shall be applied to the defense and safety of the city and port of New York, and no longer, shall the United States retain it."<sup>1</sup>

When Massachusetts made similar cession, she claimed *concurrent jurisdiction*.<sup>2</sup>

*From the above it is seen that, in the cases mentioned, the forts and sites were not conveyed to the United States in fee simple, or to hold forever.*

On Dec. 20, 1860, South Carolina passed an Ordinance of secession. Almost immediately thereafter she sent to Washington commissioners to "Treat with the Government of the United States for the delivery of the forts \* \* \* for an apportionment of the public debt \* \* \* for the continuance of peace and amity, etc.," evincing a desire to deal honorably and in good faith.

Dec. 11, 1860, Major Robert Anderson, who with a garrison occupied Fort Moultrie, in Charleston Harbor, received

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<sup>1</sup>"R. & F. Confederate Government," Vol. I, p. 209.

<sup>2</sup>*Idem*. Quoted from Revised Statutes of Mass., 1836, p. 56.

instructions from the War Department in Washington in part, as follows: "Carefully avoid every act which would needlessly tend to provoke aggression." \* \* \* "You are not, without evident and imminent necessity, to take up any position which could be construed into the assumption of a hostile attitude." \* \* \* "An attack upon either of them (the three forts in Charleston Harbor) will be regarded as an act of hostility, and you may then put your command in either of them."<sup>1</sup>

The Commissioners reached Washington Dec. 26, 1860, but before they could communicate with President Buchanan, they learned that Major Anderson had "secretly dismantled Fort Moultrie and had occupied Fort Sumter"—a more commanding position—thus changing the *status quo*, in which it was understood President Buchanan had agreed there should be no change, the assurance having been made to him by South Carolina's representatives in Congress that there was no present intention of attacking the forts. It cannot be doubted that Major Anderson thought much was permitted to his own discretion; that he was governed by a sense of honor and duty; nevertheless, his act was looked upon by the people of South Carolina as one of bad faith. The Commissioners, in a letter

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<sup>1</sup>"R. & F. Confederate Government," Vol. I, p. 212. Quoted from Buchanan's Administration, Chap. IX, p. 165 and Chap. II, pp. 212-214.

addressed to the President *Dec. 28, 1860*, protested against it, and entreated him to withdraw the troops from Charleston Harbor to prevent a bloody issue from "questions which ought to be settled with temperance and judgment."<sup>1</sup> They also called his attention to the fact that South Carolina "could, at any time within the last sixty days, have taken possession of the forts."<sup>2</sup> To this letter the President replied *Dec. 30th*, that he had "no authority to decide what shall be the relations between the Federal Government and South Carolina."<sup>3</sup> This question he had not been asked to decide, but as Commander-in-Chief of the Army and Navy of the United States, he did have the authority to withdraw the troops.

The President replied further, \* \* \* "It is therefore my duty to submit to Congress the whole question in all its bearings. \* \* \* It is not believed that any attempt will be made to expel the United States from this property by force." "*It was my determination \* \* \* not to reinforce the forts in the harbor and thus produce a collision*, until they had been actually attacked, or until I had certain evidence that they were about to be attacked."

*About Dec. 28th* the President was informed that "the

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<sup>1</sup>"R. & F. Confederate Government," Vol. I, p. 592.

<sup>2</sup>*Idem*.

<sup>3</sup>*Idem*, p. 593.

Palmetto flag floated out to the breeze at Castle Pinckney, and a large military force went over last night (27th) to Fort Moultrie," and in connection with this he wrote: "Thus the authorities of South Carolina, \* \* \* doubtless believing \* \* \* that the officer had acted not only without, but against my orders, etc."<sup>1</sup>

It is not to be inferred that, in occupying forts and raising her flag over them, she intended to attack Fort Sumter, but rather to prepare for defense against attack, which *an act of bad faith*, as she construed it, led her to believe would be made on her.

Jan. 1, 1861, the Commissioners, replying to the President's communication of Dec. 30th, wrote: \* \* \* "In your annual message you declared that you had no right and would not attempt to coerce a seceding State. \* \* \* You did not reinforce the garrisons in the harbor of Charleston. You removed a distinguished and veteran officer from the command of Fort Moultrie, because he attempted to increase his supply of ammunition. You refused to send additional troops to the same garrison when applied for by the officer appointed to succeed him. You accepted the resignation of the oldest and most eminent member of your Cabinet, rather than allow the

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<sup>1</sup>"R. & F. Confederate Government," Vol. I, pp. 594-596.

garrison to be strengthened. You compelled an officer stationed at Fort Sumter to return immediately to the arsenal forty muskets which he had taken to arm his men." \* \* \* Referring to Major Anderson's evacuating Fort Moultrie, spiking the guns, etc., and removing to Fort Sumter, the Commissioners wrote to the President, "This is war. \* \* \* For this act, with all its attending circumstances, was as much war as firing a volley. \* \* \* You have resolved to hold by force what you have obtained through our misplaced confidence. \* \* \* By your course you have probably rendered civil war inevitable." This was the last communication from the Commissioners to the President, and he declined to receive it, as shown by an endorsement on it, because "it is of such a character, etc."

*In February, 1861, a plan was proposed for reinforcing and furnishing supplies to the garrison of Fort Sumter. Lieutenant-General Scott advised the President that the fort could not be relieved and must be given up.*<sup>1</sup> *March 13th, the proposal was renewed, Mr. Lincoln at this time being President, and he agreed to it. A confidential agent was sent to Charleston to "spy out the land," the better to determine the practicability of carrying out the plan. This agent arrived in Charles-*

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<sup>1</sup>"R. & F. Confederate Government," Vol. I, p. 271.

ton March 21, 1861. He obtained permission from Governor Pickens to visit the fort "*expressly upon the pledge of pacific purposes.*"<sup>1</sup> The plan was not made known to Major Anderson by this agent, but he was aware that suggestion had been made for the relief and reinforcement of the garrison, for on April 8th, he had written to the Adjutant-General United States Army that \* \* \* "it is, of course, now too late for me to give any advice in reference to the proposed scheme. I fear *that its results cannot* fail to be disastrous to all concerned."<sup>2</sup> The agent returned to Washington and reported; his plan was approved by President Lincoln, and he was sent to New York to make arrangements for its execution. Another confidential agent soon followed the first—one Lamon—who announced that "*he had come to arrange for the removal of the garrison,*" and said "he hoped to return in a few days for that purpose."<sup>3</sup>

Other States than South Carolina sent Commissioners to Washington hoping to arrange for peaceable separation and the avoidance of war, but all efforts directed to this end proved unavailing. It was evidently the intention of the Federal Government to coerce the seceding States, and all promises

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<sup>1</sup>"R. & F. Confederate Government," Vol. I, p. 272.

<sup>2</sup>*Idem*, p. 283.

<sup>3</sup>*Idem*, p. 272.



not to reinforce Fort Sumter were made in bad faith—with intent to deceive.

*Jan. 9, 1861*, a vessel, loaded with troops, attempted to enter Charleston, but was driven away by batteries on the shore. All efforts made by individual States and by the Confederate Government to avoid war having failed, Fort Sumter was fired upon *April 12, 1861*, due notice having been given to the commanding officer. The next day the fort surrendered, and the garrison was permitted to retire with the honors of war. At this time a fleet of armed vessels was lying off the port of Charleston, and the commander of the *Pawnee* is reported to have *refused to enter* without orders from a superior, "*There to inaugurate civil war.*"<sup>1</sup>

While these things were taking place around Charleston, the general condition of the country, the right of secession, etc., were freely discussed in newspapers and in all places where "two or three were gathered together."

*March 4, 1861*, President Lincoln, in his inaugural message, said: "*I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it*

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<sup>1</sup>"R. & F. Confederate Government," Vol. I, p. 292.

*exists; I believe I have no lawful right to do so, and I have no inclination to do so.*"<sup>1</sup>

When Gen. John C. Fremont issued a proclamation, emancipating the slaves of certain persons, President Lincoln countermanded it. But Jan. 1, 1863, Mr. Lincoln issued a "Proclamation of Emancipation," declaring all slaves in the seceding States to be free. There is certainly no authority conferred upon a President by the Constitution to take such step under any circumstances.

Nov. 9, 1860, *The New York Tribune* said, "We hold with Jefferson to the inalienable right of communities to alter or abolish forms of government that have become oppressive or injurious; and if the Cotton States shall decide that they can do better out of the Union than in it, we insist on letting them go in peace. The right to secede may be a revolutionary right, *but it exists, nevertheless*; and we do not see how one party can have a right to do what another party has a right to prevent. We must resist the asserted right of any State to remain in the Union and nullify or defy the laws thereof; *to withdraw from the Union is quite another matter*. And, whenever a considerable section of our Union shall deliberately resolve to go out, *we shall resist all coercive measures*

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<sup>1</sup>"R. & F. Confederate Government," Vol. I, p. 262.

*designed to keep her in. We hope never to live in a republic whereof one section is pinned to the residue by bayonets."*

*The Albany Argus* said, "We sympathize with and justify the South as far as this: their rights have been invaded to the extreme limit possible within the forms of the Constitution; and, beyond this limit, their feelings have been insulted and their interests and honor assailed by almost every form of denunciation and invective; and if we deemed it certain that the real *animus* of the Republican Party could be carried into the administration of the Federal Government and become the permanent policy of the nation, we should think that all the instincts of self-preservation and of manhood rightfully impelled them to resort to a revolution and a separation from the Union, and we would applaud them and wish them God-speed in the adoption of such a remedy." (The South was fully convinced "that the real *animus* of the Republican Party" had "become the permanent policy of the nation.")

In a later issue *The Albany Argus* said, "If South Carolina, or any other State, through a convention of her people shall formally separate herself from the Union, probably both the present and the next Executive will simply let her alone and *quietly allow all the functions of the Federal Government within her limits to be suspended. Any other course would be*

*madness*, as it would at once enlist all the Southern States in the controversy and plunge the whole country into a civil war.

\* \* \* As a matter of policy and wisdom, therefore, independent of the question of right, we should deem resort to force most disastrous."

*The New York Herald* said, "Each State is organized as a complete government, holding the purse and wielding the sword, possessing the right to break the tie of the confederation as a nation might break a treaty, and to repel coercion as a nation might repel invasion. \* \* \* Coercion, if it were possible, is out of the question."

Jan. 31, 1861, at a mass meeting in the city of New York, Mr. James S. Thayer said: "We can at least \* \* \* arrive at the basis of a *peaceable separation*; we can \* \* \* enlighten, settle and concentrate the public sentiment in the State of New York upon this question and save it from that fearful current, which circuitously but certainly sweeps madly on, through the narrow gorge of 'the enforcement of the laws,' to the shoreless ocean of civil war. Against this, under all circumstances, in every place and form, we must now and at all times oppose a resolute and unfaltering resistance. \* \* \* If a revolution of force is to begin, *it shall be inaugurated at home*. And if the incoming administration shall attempt to

carry out the line of policy that has been foreshadowed, we announce that when the hand of Black Republicanism turns to blood-red, and seeks *from the fragments of the Constitution to construct a scaffolding for coercion—another name for execution*—we will reverse the order of the French Revolution, and save the blood of the people by making those who would inaugurate a reign of terror the first victims of a national guillotine.”

At the same meeting, ex-Governor Seymour asked the questions whether “successful coercion by the North is less revolutionary than successful secession by the South? Shall we prevent a revolution by being foremost in overthrowing the principles of our Government and all that makes it valuable to our people and distinguishes it among the nations of the earth?”

And ex-Chancellor Walworth said: “It would be as brutal, in my opinion, to send men to butcher our own brothers of the Southern States, as it would be to massacre them in the Northern States. We are told, however, that it is our duty to, and we must, enforce the laws. But why—and what laws are to be enforced? There were laws to be enforced in the time of the American Revolution. \* \* \* Did Lord Chatham go for enforcing those laws? No, he gloried in defense of the liber-

ties of America. He made that memorable declaration in the British Parliament, 'If I were an American citizen instead of being, as I am, an Englishman, I would never submit to such laws. Never, never, never.' "

In *February, 1861*, *The Detroit Free Press* said, "If there should not be a change in the present seeming purpose to yield to no accommodation of the national difficulties, and if troops shall be raised in the North to march against the people of the South, a *fire in the rear will be opened* upon such troops, which will either stop their march altogether or wonderfully accelerate it."

*The Union* newspaper, published in *Bangor, Me.*, said, "The difficulties between the North and the South must be compromised, or the separation of the States *shall be peaceable*. If the Republican Party refuse to go the full length of the Crittenden amendment—which is the very least the South can or ought to take—then, here in Maine, not a Democrat will be found who will raise his arm against his brethren of the South. From one end of the State to the other let the cry of the Democracy be, COMPROMISE OR PEACEABLE SEPARATION."

(The Crittenden amendment proposed, among other things, the restoration and incorporation into the Constitution of the

Missouri Compromise, made in 1820, which established a line, 36' 30" north latitude, above which slavery was excluded. Much of this northern territory had been acquired from France by treaty and purchase, and the treaty was violated by such exclusion, as it guaranteed to the inhabitants of said territory "all the rights, advantages and immunities of citizens of the United States, and the free enjoyment of their liberty, property and the religion they profess.")

It will be seen from the words of eminent men and influential newspapers, as above quoted—men and newspapers of various party affiliations and of no party affiliations—that there existed in many of the Northern States a decided sentiment opposed to coercion, and in favor of the States' rights doctrine upon which the South claimed the right of secession.

*March 19, 1861, The New York Herald*, referring to the Constitution of the Confederate States which had been adopted March 11, said, "The Constitution is the Constitution of the United States with various modifications and some very important and most desirable improvements. We are free to say that the invaluable reforms enumerated should be adopted by the United States, with or without a reunion of the seceded States, and as soon as possible. But why not accept them

with the propositions of the Confederate States on slavery as a basis of reunion?"

Fort Sumter having surrendered on *April 13, 1861*, on *April 15th* President Lincoln called out the military of the several States to the number of seventy-five thousand men, and this hastened the convention of Virginia delegates to pass an ordinance of secession, which was done *April 17th*, and war began in earnest. The Constitution confers upon *Congress* power to "raise armies and to declare war." There is not one word in it that can by any possibility be construed into meaning that the President has such power. His calling for seventy-five thousand men was an usurpation.

The war now begun continued until the spring of 1865. *April 9, 1865*, General R. E. Lee surrendered to General U. S. Grant.

*April 26, 1865*, General J. E. Johnston surrendered to General W. T. Sherman, and all other Confederate armies finally surrendered. The *de facto* government was a thing of the past.

The war had been conducted on the part of the Confederate States with strict regard to the rules of war among civilized peoples. On the part of the Federal Government these rules were not so strictly observed. Numerous acts of cruelty



and outrage were committed. "They waged an indiscriminate war upon all: private houses in isolated places were bombarded and burned; grain crops in the field were consumed by the torch; and when the torch was not applied, careful labor was bestowed to render complete the destruction of every article of use or ornament remaining in private dwellings after their female inhabitants had fled from the insults of brutal soldiers; a petty war was made on the sick, including women and children, by carefully devised measures to prevent them from obtaining necessary medicines."<sup>1</sup> Generals Sherman, Sheridan, Pope, Hunter, B. F. Butler, Milroy, and Colonels Grierson and Dahlgren, were chief among those who violated those rules. The only act of retaliation by any Confederate force during the war was that of General J. A. Early, committed on Chambersburg, Pa., *July 30, 1864*, when the town was burned after notice had been given of his intention.

Many prisoners being captured from time to time, the dictates of humanity demanded that arrangements should be made for their exchange. A cartel for this purpose was executed *July 22, 1862*. The carrying out of this agreement was made difficult by the officials of the Federal Government upon various pretexts. General B. F. Butler, who was thought to

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<sup>1</sup>"R. & F. Confederate Government," Vol. II, p. 5.

be responsible for delaying or interrupting the carrying out the cartel, says in his defense that he was *directed* "to put the matter offensively for the purpose of preventing an exchange."<sup>1</sup> On August 18, 1864, General U. S. Grant wrote to General Butler: "It is hard on our men held in Southern prisons not to exchange them, but it is humanity to those left in the ranks to fight our battles. Every man released on parole, or otherwise, becomes an active soldier against us, either directly or indirectly. If we commence a system of exchange, which liberates all prisoners taken, we will have to fight on until the whole South is exterminated. If we hold those caught, they amount to no more than dead men. At this particular time to release all rebel prisoners North would insure Sherman's defeat, and would compromise our safety here."<sup>2</sup> So the cartel was made null and void.

An impression has been made upon the minds of the Northern people that the Confederate authorities were responsible for all the sufferings of prisoners held in the South. This responsibility is not only denied by the facts, but is shown to rest upon the Federals. The supplies of medicine in the Confederacy were entirely inadequate for the necessities of

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<sup>1</sup>"R. & F. Confederate Government," Vol. II, p. 599.

<sup>2</sup>*Idem*, p. 600.

the people. In 1864 Commissioner Ould "made an offer to the United States authorities to purchase medicines from them to be used exclusively for the relief of Union prisoners. He offered to pay in gold, cotton or tobacco, and even to pay two or three prices if required, and agreed that such medicines might be brought into the Confederate lines by United States surgeons and dispensed by them."<sup>1</sup> To this offer no reply was ever received.

The prison at Andersonville, Ga., was one in which a large number of Union prisoners were confined, and in which it was alleged they were treated most cruelly. A delegation of these prisoners was sent to Washington with the hope that they might induce their Government, in some way, to ameliorate their condition. They were made to understand that the interest of the Government required that they should return to prison and remain there. And this they did. The editor of *Southern Historical Papers* says, "We have a letter from the wife of the chairman of that delegation (now dead) in which she says that her husband always said that he was treated more contemptuously by Secretary of War Stanton than he ever was at Andersonville."

One of the prisoners, Henry M. Brennan, writes: "I was

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<sup>1</sup>"R. & F. Confederate Government," Vol. II, p. 602.

at Andersonville when the delegation of prisoners spoken of left there to plead our cause with the authorities at Washington; and nobody can tell, unless it be a shipwrecked and famished mariner, who sees a vessel approaching and then passing on without rendering the required aid, what fond hopes were raised and how hope sickened into despair, waiting for the answer that never came. In my opinion, and that of a good many others, a good part of the responsibility for the horrors of Andersonville rests with General U. S. Grant, who refused to make a fair exchange of prisoners.”<sup>1</sup>

That more and avoidable cruelty was practised upon Confederate soldiers in Northern prisons than upon Federal soldiers in Southern prisons is abundantly proven by the fact that out of 220,000 of the former 26,000 died, while of the latter, out of 270,000, 22,000 died.<sup>2</sup>

From the beginning of the war, and for some time after, high officials of the United States were anxious to spread abroad in this country and in Europe declarations of the purposes of the Government, of what it intended to do and what not to do. *April 22, 1861*, W. H. Seward, Secretary of State, in a despatch to the United States Minister to France, wrote

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<sup>1</sup>“R. & F. Confederate Government,” Vol. II, p. 603.

<sup>2</sup>*Idem*, p. 607.

as follows: "The territories will remain the same in all respects, whether the revolution shall succeed or shall fail? The condition of slavery in the several States will remain just the same, whether it succeed or fail. There is not even a pretext for the complaint that the disaffected States are to be conquered by the United States if the revolution fails; for the rights of the States and the condition of every being in them will remain subject to exactly the same laws and forms of administration, whether the revolution shall succeed or whether it shall fail. In one case, the States would be federally connected with the new Confederacy; in the other they would, as now, be members of the United States; *but their Constitutions and laws, customs, habits and institutions, in either case, will remain the same.*"<sup>1</sup> Similar views were expressed by many, and had they been honestly carried out, much suffering and anxiety would have been spared to the whole country. The Constitutions of the several States in 1865 had been adopted by the people in conformity with the principles of the Declaration of Independence and of the Constitution of the United States. The Legislatures had been organized, and the members had been elected in accordance with those principles. *De jure* governments, republican in form, existed in all these States, and there

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<sup>1</sup>"R. & F. Confederate Government," Vol. I, pp. 262-263.

was no authority which lawfully existed for their overthrow. According to the views of the Secretary, above cited, when the armies of the Confederacy laid down their arms, and the *revolution had failed, inasmuch as the Governments of the seceding States had been continuous before and since 1860-61*, and as the Government of the United States had denied that they, or any of them, were ever "out of the Union," the plain inference is, that *they were still in the Union on an equality with all other States.*

During the progress of the war, those in position to determine the policy of the Government of the United States in disregard of the Constitution became more and more influential, until they finally dictated what it should be.

August 6, 1861, Congress passed an act of Confiscation, in reference to which President Lincoln said: "It is startling to say that Congress can free a slave within a State."<sup>1</sup> In discussing this bill, Thaddeus Stevens asked: "*Who pleads the Constitution against our proposed action?*"<sup>2</sup> When discussing the rape intended upon the State of Virginia, 1861-62, and the erection of a new State within her boundaries and jurisdic-

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<sup>1</sup>"R. & F. Confederate Government," Vol. II, p. 169.

<sup>2</sup>*Idem*, p. 8.

tion, Mr. Stevens said: "*We know that it is not Constitutional, but it is necessary.*"

*Feb. 25, 1861*, Charles Sumner, Senator from Massachusetts, declared in Congress: "I do not think that Congress has any right to interfere with slavery in a State."<sup>1</sup>

*July 7, 1862*, General McClellan, commanding the Federal army around Richmond, wrote to the authorities at Washington: "A declaration of radical views, especially upon slavery, will rapidly disintegrate our armies."<sup>2</sup>

*May 9, 1862*, General Hunter issued an order declaring the "persons held as slaves in Georgia, Florida and South Carolina to be forever free." (Evidently an attempt to incite the slaves to insurrection and all its horrors, and a plain violation of the Constitution.) *May 19th*, President Lincoln declared the order void.<sup>3</sup>

*July 12, 1862*, President Lincoln, alluding to the stress being brought to bear for the emancipation of slaves, remarked: "The pressure in this direction is still upon me, and is increasing."<sup>4</sup>

Notwithstanding all the promises that had been made that

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<sup>1</sup>"R. & F. Confederate Government," Vol. II, p. 160.

<sup>2</sup>*Idem*, pp. 9-10.

<sup>3</sup>*Idem*, p. 181.

<sup>4</sup>*Idem*, p. 182.

slavery should not be interfered with, the admissions that neither the President nor Congress had any right to abolish it, as it was protected by the Constitution, and the fear expressed by General McClellan that the agitation of the subject would "disintegrate our armies," "the pressure brought to bear" finally overcame President Lincoln's scruples, and on *Sept. 22, 1862*, he issued a preliminary proclamation of emancipation.

It has been claimed that slavery was the cause of the war, that the Southern States seceded for the purpose of protecting and perpetuating it. The truth is that property right in slaves was protected and guaranteed by the Constitution; that a political party had become dominant, whose fixed determination was to deny this right and to set the slaves free. If the denial of any other right, such, for instance, as representation in Congress on the basis of population, had been threatened for years, and all hope of its continuance, for good and sufficient reason, had been abandoned, it is reasonable to suppose—can it be doubted—that the States to whom the right was denied—North or South—would have resorted to secession?

War ceased in the land, but the promise made by Secretary Seward, above quoted, that "their Constitutions and laws, habits and institutions, will remain the same," proved illusory.



*March 2, 1867*, Congress passed what is known as the "Reconstruction Act," in part as follows: "Whereas no legal State Governments exist in the rebel States \* \* \* and whereas it is necessary that peace and good order should be enforced in said States until loyal and Republican State Governments can be established; therefore, be it enacted, etc., that the said rebel States shall be divided into military districts and made subject to the military authority of the United States, etc."

SEC. 2. "That it shall be the duty of the President to assign to the command of each of said districts an officer of the army, not below the rank of brigadier-general, etc."

A supplemental Reconstruction Act was passed *March 23, 1867*.

The commanding officers were duly appointed and assumed charge.

By these acts many of the intelligent, honorable white citizens were disfranchised. Those who owned property in the States were deprived of any voice in the management of State affairs. The slaves were not only set free, but were clothed with all the rights, privileges and duties of citizenship. In the meantime swarms of "carpet baggers," following the victorious armies, had settled upon the prostrate States, which, in their helpless condition, offered rich fields for plunder.

These monsters, destitute of honor, governed only by base selfishness, affiliated with the negroes, organized them into all kinds of secret, oath-bound societies, instigating in their ignorant minds sentiments of bitter hatred against the whites, upon whom they had been thrust as slaves—principally by “Yankee” greed. The horrible conditions brought about by the circumstances can be better imagined than described.

However, these conditions finally improved. The seceding States were restored to the Union (from which they had never departed), and intelligence regained its control.

It is but natural that the negroes, removed from their savage ancestors by only two hundred and fifty years, or less, kept in bondage, and, necessarily, in ignorance, though treated kindly and with every consideration their numbers and condition permitted, should be duped by designing scoundrels, and should “mistake liberty for license.” This they did to such excess that the very lives of the States depended upon their suppression—a fact now almost universally admitted. They had been contented laborers in slavery, and were generally loyal to their owners during the war. Considerable numbers, but few in proportion to the whole, left their homes and kindred and enlisted in the Federal armies. From the white man’s standpoint this was commendable. Liberty worth hav-

ing is worth fighting for. It is greatly to their credit, however, that the negroes who remained at home were not guilty of insurrection, and no instance is on record of assault upon a white woman during the war by them. For the manner in which they cultivated the fields, for the respect shown by them to women and children during the war, the Southern people should be very thankful.

More than forty years have now passed since the war closed. Peace and good-will unite the sections, and a more fraternal feeling than ever before exists. The real cause of the war was the jealousy—the intolerance—of the New England character, called into action by the imagined wrongs and cruelties practised upon the poor negroes, whom they had made slaves. Their responsibility seemed to be followed by remorse. Men and whole communities went daft, were seized with fanatical zeal on the subject, until “judgment had fled to brutish beasts and men had lost their reason.” But whether the cause of the war, or only an incident leading to it, slavery is forever abolished among the people of the United States, and the former slaveholders acknowledge a blessing in this. Few, if any of them, would restore it if they could.

Since the emancipation of the slaves, the whole country has entered upon a new and better era—an era of happiness

and prosperity heretofore unknown, and this is largely due to the failure of the Southern Confederacy and the abolition of slavery. No longer is heard the charge of disloyalty to the Government. We are again an united people, as our forefathers were in 1776. In our patriotism there is no sectionalism. The only strife among us is in the noble emulation of who can best strive and best serve for the public good. The most prominent cause of sectional dissension being removed, economic questions are discussed with more patience and forbearance and less acrimony than formerly. There is no threat of a crisis in our country's affairs similar to that through which we passed forty odd years ago, and the manifest destiny of our great Republic is to hold a high place among the nations forever. We have come to know each other better, and this "diffused knowledge has immortalized itself."

We have "One Country, One Constitution, One Destiny."

"The union of hearts, the union of hands,  
And the flag of our union forever."



MAY 28 1908





